

# ORM NEWS

**From the Office of the Deputy Assistant  
Secretary for Resolution Management  
Department of Veterans Affairs**



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June 2002

## *From the Deputy Assistant Secretary*



A few years ago I read the following quote: “the days on the calendar are closer than they appear”. HR&A’s “National Leaders Conference” is much closer than we may realize. Of course that’s not true for Lewis Henson and the rest of the Planning Committee. For months they have been working very hard to ensure the conference’s excellence and success. It will be both.

The conference theme is **“SHAPING THE FUTURE: Cultivating a Dynamic and Dedicated Workforce Through Excellence in Human Resources, Diversity and Equal Employment Opportunity”**. The conference will address issues of very high interest to VA’s most important assets -its Human Capital. Our theme indicates we understand the importance of VA’s employees in all its efforts to provide outstanding service to our nation’s veterans and the service we provide cannot exceed the quality and preparedness of its workforce.

Appropriately trained and effectively lead employees will create environments where service is excellent, fewer complaints are filed, more complaints are resolved by the aggrieved and the RMO using ADR, and we create “employer of choice” work environments. This conference will help ensure that we, in ORM, have the best trained, best prepared and best performing organization involved in counseling, investigations, and procedural determinations. This conference will help staff – particularly those in key occupations charged with helping create productive environments in VA facilities – gain a greater appreciation of the importance of prevention, early resolution and expert processing of complaints as a result of this conference.

We provide the most value to VA when we have the appropriate balance of processing complaints, encouraging and facilitating early resolution and prevention through eliminating or reducing the attitudes and acts most likely to result in someone filing a complaint. If this conference helps to move more staff in that direction, it will be a great success. I believe it will be a great success.

/s/  
James S. Jones

# Highlights of Regulations and Programs

## **President Bush Signs “No FEAR Act” Into Law**

On May 15, 2002, President Bush sign into law the “Notification and Federal Employee Anti-Discrimination and Retaliation Act of 2001(No FEAR)”.

Agencies are required to make employees aware of discrimination and whistleblower protection laws. They must file an annual report detailing the number of discrimination or whistleblower cases filed against them, how the cases were resolved, the amount of settlements and the number of agency employees disciplined for discriminating against other workers or harassing them. They must post current information on the number of EEO complaints filed against them on their web site.

This legislation also requires federal agencies to pay judgements out of their own budgets when they lose or settle discrimination and whistleblower cases. Previously, these funds came from a general federal judgement fund.

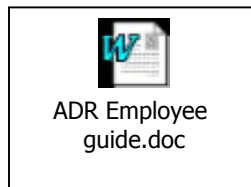
An article in the May 20, 2002, Federal Human Resources Week newsletter, entitled “Agencies face financial sting, EEO exposure” stated “In FY 2000, some 6,000 court-ordered payments totaling more than \$59 million were made out of the fund for discrimination judgements.” It went on to say, “In the administrative process, agencies paid more than \$30 million for EEO violations.” Gary Gilbert, a former EEOC chief administrative judge, is quoted in the same article as saying, “the monetary damages that agencies are required to pay are intended to reimburse the worker for any lost income or other costs incurred, not to punish the agency for the violation. However, the hit agencies take to their budgets can make a difference.”

The No FEAR Act (HR 169) was prompted by allegations of discrimination at the Environmental Protection Agency where a black senior manger won a \$600,000 verdict against the agency in a race and gender discrimination suit. Go to <http://thomas.loc.gov> to obtain a copy of this Act.

*(Terry Washington, ORM External Affairs Program)*

# Work Place Dispute Employee Guide

A new work place dispute employee guide is now available. This 16 page guide entitled, *“Dealing with Workplace Conflicts and Concerns,”* was developed by the Board of Contract Appeals to serve as a resource to VA employees. It will be posted on the agency's ADR web site. Copies will also be available in HR offices. Excerpts from this guide will appear in future editions of ORM News. Click on the attached to view this guide or go to VA's ADR web site [www.va.gov/adr](http://www.va.gov/adr) for more information.



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## EEOC Issues Final Rule on Application of ADA Standards to the Federal Workforce

The EEOC announced on May 21, 2002, the publication of a final rule to clarify the application of the employment provisions of the American with Disabilities Act of 1990 (ADA) to federal government workers.

This final rule implements the amendments to section 501 of the Rehabilitation Act and updates the EEOC's Rehabilitation Act regulations in 29 C.F.R. 1614.203). Final rule highlights include:

- The final rule incorporates by reference the EEOC's ADA regulation, at 29 C.F.R. Part 1630.
- The regulatory limits on reassignment of federal employees with disabilities as a reasonable accommodation, formerly included in 29 C.F.R. 1614.203(g), have been deleted, and the ADA standard will now be applied.
- The final rule amends the federal sector disability regulation, 29 C.F.R. 1614.203, and sets forth the obligation of the federal government to be the "model employer of individuals with disabilities."

*(Excerpt from EEOC news release dated May 21, 2002)*

For more information on this final rule, go to EEOC's web site, [www.eeoc.gov](http://www.eeoc.gov) .

## Credit Card Crackdown



***“Credit Card Crackdown; OMB Threatens to Cancel Accounts to Counter Abuse”*** is the headline of an article in the May 13, 2002, Federal Times. Some of the 2.3 million government credit cards in use may be deactivated according to the White House Budget Office if agencies fail to control employees’ abuses of the cards.

Angela Styles, Administrator of Procurement Policy, at the Office of Management and Budget (OMB) stated, “Our greatest concern is the purchase card. If you don’t get your house in order, we will deactivate the cards and start over.”

There are 350,000 purchase cards and 2 million travel cards in use at 23 agencies. Federal workers purchased \$19 billion in goods and services, including \$5.3 billion in travel expenses in 2001.

OMB issued a memorandum in April directing agencies to submit “remedial action plans by June 1 detailing their steps to punish abusers and exert control over credit card use.” “Effective improvements to internal controls must be made, if the programs are to be continued.” OMB Director, Mitchell Daniels, Jr., stated in the memorandum, “I also request that you take immediate administrative action against any employees found to have abused the purchase or travel card privileges.” He suggested that agencies voluntarily “deactivate them selectively for a smaller number of cardholders based on demonstrated necessity.”

This action was reportedly prompted by publicity surrounding credit card abuses by federal employees. The Department of Defense (DOD) was cited at a May 1, House subcommittee hearing for having more than \$439,000 processed for inactive credit card accounts and more than \$4 million in inappropriate charges by DOD employees to jewelry stores and antique shops.

OMB was considering legislation to Congress to allow the government to recoup the cost of unauthorized charges made on government purchase cards by garnisheeing the paychecks of offending employees. However, there are no immediate plans to introduce such legislation and OMB was still reviewing the situation. OMB is working with agencies to tighten control over employees’ use of the cards.

*(Terry Washington, ORM External Affairs Program)*

# **Computer/Electronic Accommodations Program (CAP)**

**VA proudly announces its partnership with the Department of  
Defense's Computer/Electronic Accommodations Program  
(CAP)**

CAP works with agencies to help ensure inclusion and productivity for employees with visual, hearing, and dexterity disabilities. CAP supports plans for new employees by providing accommodations, thus eliminating employment-hiring barriers.

CAP supports Executive Order 13163, which focuses on the need to hire and advance individuals with disabilities at all levels and occupations in the Federal workforce, as well as Executive Order 13164, which requires Federal agencies to establish procedures to facilitate the provision of reasonable accommodations.

For more information, please contact:  
Noemi Pizarro-Hyman  
National Program Manager for People with Disabilities  
Office of Diversity Management and Equal Employment  
Opportunity  
202-273-8921 or 202-345-7590

You can also visit the DOD CAP Web site at  
[www.tricare.osd.mil/cap](http://www.tricare.osd.mil/cap)



## ***Resolving Disputes***

Alternative dispute resolution processes are helping agencies resolve discrimination complaints quicker:

**In cases before a formal complaint is filed:**

- ❑ Alternative dispute resolution was used in 32% of cases
- ❑ Of those, 56% were resolved before a complaint was filed

**In cases after a formal complaint is filed:**

- ❑ Alternative dispute resolution was used in 11% of cases
- ❑ Of those, 64% were settled or withdrawn

(Source is Federal Times of May 27, 2002. Data comes from EEOC)

## ***Fewer Complaints***

The number of equal employment opportunity complaints filed by federal employees declined 5 percent from 2000 to 2001. Among Cabinet agencies and the U.S. Postal Service, the Commerce Department showed the largest percentage decrease in complaints (83%), while the Transportation Department had the largest percentage increase (34%).

VA had a 13 percent decrease in the number of complaints filed during this period from 2,467 in 2000 to 2,147 in 2001.

(Source is Federal Times of May 27, 2002. Data comes from EEOC)

## ***Streamlining the Process***

Agencies overall are reducing discrimination claims and the time taken in processing them:

	1998	1999	2000	2001
Number of Complaints filed	28,147	26,657	24,524	23,301
Percentage change in backlog	6%	-5%	-4%	-2%
Claims processing time (in days)	384	423	472	464

(Source is Federal Times of May 27, 2002. Data comes from EEOC)



## Customer Service - Tip (Tune In Please)

We all have one thing in common as ORM employees. What we do affects the opinions of ourselves, of ORM, the VA and the government as a whole. If we provide good customer service then favorable opinions and perceptions will be formed. If we provide poor customer service then negative opinions may be formed about particular individuals, the organization of ORM or perhaps the VA as a government agency.

**Example:** How do you appear to a visitor when that visitor asks for directions to a particular office? Do you say, *"I'm sorry but this isn't the office,"* and then look down at your work without any further conversation with the visitor? Or, Do you say *"I'm sorry this isn't the office, but let me check to see where that room, office, or person may be located."*

The ORM employee then writes the correct room number on a slip of paper and hands it to the visitor. Furthermore, if the visitor has to go to another building, the ORM employee consults the local hospital map so that s/he can advise the visitor where to go.

Also, part of customer service is being organized. Do we have the tools at our fingertips to provide good customer service?

In the example above, the ORM employee should have:

- Scratch paper handy
- An up-to date Directory
- Outlook capability
- Map of facility

Although the task of giving directions to a visitor is not in our job descriptions, per se, think of the impressions you will make for yourself, ORM or your agency if you provide assistance to a lost visitor.

You may also feel good about yourself, for taking the time to help another.  
(ORM Customer Service Group)

# Notes from the Field

## Budget Office

ORM is in the formal process of developing a FY 2004 budget request. VA will again request funding for ORM through reimbursement for FY 2003.

## IT Help Desk

There seems to be confusion as to what number to call to reach the IT Help Desk for assistance. The Help Desk number is [202 501-2851](tel:2025012851). Please use this number when you are calling the IT Help Desk for assistance.

## Washington Field Office

Correction: In last month's edition we erroneously identified [Ronnica \(Ronnie\) Snowden](#) as Veronica Snowden. [Ronnie](#) was recognized for her military service during Women's History Month ceremonies at VACO.

Employees prepared and delivered 10 dinners to feed the homeless in the area near VACO during the Mother's Day weekend. Special thanks to the staff of the Washington Field Office for a job well done.

[John H. Jones](#), EEOC C1 Specialist and Master Mediator Trainer, was recently commended by Mr. George H. Grey, Jr., Medical Center Director, Central Arkansas Veterans Healthcare System, and the participants of the Basic Skill Mediator Training, for newly selected mediators, he recently conducted in Little Rock, Arkansas. John is a Certified Mediator in North Carolina and a volunteer mediator for the Cumberland County Dispute Resolution Center. He also has over 100 hours of mediation training in the areas of Basic Mediation Skills, Advanced Mediation, Victim Offenders Mediation, Work Place Dispute Mediation, Trial Court Mediation, and he holds a certification as a Mediation Instructor.



### Little Rock Field Office

The Little Rock Field Office presented "Fact-Finding" training the week of May 6-8, 2002 in Little Rock. In attendance were the Little Rock Investigators along with **Patricia Connerty**, Hines ORM, and Herbert Wilkins, Vancouver ORM. Presenters were **Jack Frost**, Leavenworth ORM, **Luis Aponte**, Bay Pines, ORM, **Shirley Pfleider**, Bedford ORM and **Karen Civitate**, W. Los Angeles, ORM. In-service training for Little Rock ORM Investigators was conducted. In attendance were **Anselm Beach**, **Willie McIntosh**, **Norma Reed**, **Carselia Renard**, **Wanda Ogletree**, **William Suddeth**, **Frisco McDonald**, **Linda Blohm** and **Austin Lewis**. Each Investigator led a group discussion. **Pam Johnson**, Counselor Team Leader, discussed counselor's reports with the group.

**William Suddeth** and **Anselm Beach** were selected as Intake Specialist for the Little Rock Field Office. Their effective date will be June 3, 2002. (Congratulations) William was also presented with his 10-year service pin.

**Herb Grisby**, son of **Debora Grisby**, EEO Counselor, made an oral commitment to the Arkansas Razorback Football Team. Herb is a junior at Mayfield High School where he is a wide receiver-defensive back. He was highly recruited by the states of Iowa, Colorado, Kansas, Oklahoma, Oregon, and Mississippi. He is considered one of the state's top athletes. He will receive a four-year scholarship to attend the University.

**Bryan Wilson, Jr.**, son of **Shalisa Fountain**, EEO Assistant, and grandson of Eleanor Kaye Wilson, EEO Counselor, graduated on May 31, 2002, from the four-year old program at Redwood Elementary School. Bryan will be entering kindergarten in the fall.

**Kerrigan Ambers**, son of **Pamela Johnson**, EEO Counselor/Investigator, exited the sixth grade with high honors. He received a trophy along with three of his fellow classmates for accumulating all "A's" during the 2001-2002 school year.

### Los Angeles Field Office

We are pleased to announce West Los Angeles' newest member...



**Lisa Holliday**, EEO Intake

Specialist/Investigator (C2), and her husband,

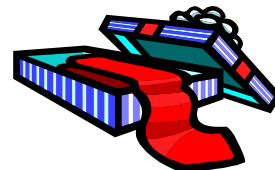
**Jonathan Reff**, welcomed their first child...

**Annika Katherine Reff**, on May 20, 2002.

Mom and child are doing well. Annika even has her own web site and email. <http://www.jonathanandlisa.com>  
"Congrats to Jonathan and Lisa"

## Did You Know?

# Jun



## Father's Day

June 16th

Mrs. John B. Dodd, of Washington, first proposed the idea of a "Father's Day" in 1909. Mrs. Dodd wanted a special day to honor her father, William Smart. William Smart, a Civil War veteran, was widowed when his wife died in childbirth with their sixth child.

Mr. Smart was left to raise the newborn and the other five children by himself on a rural farm in eastern Washington State. It was after Dodd became an adult when she realized the strength and selflessness her father had shown in raising his

children as a single parent.

The first Father's Day was observed on June 19, 1910 in Spokane, Washington. At about the same time in various towns and cities across America other people were beginning to celebrate a "Father's Day."

In 1924 President Calvin Coolidge supported the idea of a national Father's Day. Finally in 1966 President Lyndon Johnson signed a presidential proclamation declaring the 3rd Sunday of June as Father's Day.

Father's Day has become a day not only to honor your father, but all men who act as a father figure. Stepfathers, uncles, grandfathers, and male friends are all to be honored on Father's Day. For more fun information on Father's Day go to <http://homepages.rootsweb.com/~homespun/fd.html>

## Reminders:

**ORM NEWS** is a monthly publication of the Office of Resolution Management. Please E-mail Terry Washington, External Affairs Program Analyst or Tyrone Eddins, External Affairs Program Manager, to submit your recommendations, suggestions, or comments on the information presented in this newsletter. We can be reached at (202) 501-2800. Back copies of the newsletter can be found on ORM's Web site at <http://www.va.gov/orm/NewsEvents.htm>.

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